UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,977	09/26/2003	Bennett Marks	042933/267064	4050

826   7590   10/29/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2153	

MAIL DATE	DELIVERY MODE
10/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)
	10/672,977	MARKS ET AL.
	Examiner	Art Unit
	Kevin Bates	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 October 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4-8,11-15,18-22 and 25-32</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-8,11-15,18-22 and 25-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on October 5, 2007.

Claims 2-3, 9-10, 16-17, and 23-24 have been cancelled.

Claims 1, 4, 8, 11-15, 18-22, 25-28 have been amended.

Claims 29-32 have been newly added.

Claims 1, 4-8, 11-15, 18-22, and 25-32 are pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each of the claims refer to "a group header identifier" and dependent on claims 1, 8, and 15, which already contain the limitation of "a group header identifier." This presents antecedent basis problems in trying to figure out whether it's the same group header identifier or a new group header identifier.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 7-8, 12, 14-15, 19, 21-22, 26, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Hansen (WO 99/56431) (Applicant's IDS).

Regarding claims 1, 8, 15, and 22, Hansen teaches a method comprising:

receiving a resource request for the resource at a network entity, the resource request including a group header identifier (Page 15, lines 1 – 3);

identifying at least one header field associated with the group header identifier at the network entity (Page 15, lines 3 – 6); and

processing the resource request in accordance with the at least one header field associated with the group header identifier (Page 14, lines 9 – 16), wherein before receiving the resource request for the resource, the method comprises:

associating the at least one header field with the group header identifier (Page 6, lines 25 – 27), wherein associating the at least one header field with the group header identifier comprises:

receiving an earlier request at the network entity from a terminal, the earlier request including at least one header field and a call for associating the at least one header field with a group header identifier (Page 10, line 29 – Page 11, line 2);

associating the at least one header field with a group header identifier (Page 6, lines 25 – 27); and

sending the group header identifier to the terminal (Page 6, lines 27 – 29).

Regarding claims 5, 12, 19, and 26, Hansen teaches a method according to claims 1, 8, 15, and 22, wherein the network entity comprises an origin server, and

wherein processing the resource request comprises processing the resource request at the origin server (Page 5, lines 13 – 24).

Regarding claims 7, 14, 21, and 28, Hansen teaches a method according to claims 1, 8, 15, and 22, further comprising: sending the resource request for the resource to the network entity from a terminal before receiving the resource request, wherein sending the resource request comprises sending the resource request to the network entity at least partially over a wireless link (Page 5, lines 13 – 15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6, 13, 20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen in view of Chapman (6438123).

Regarding claims 6, 13, 20, and 27, Hansen teaches a method according to claims 1, 8, 15, and 22.

Hansen does not explicitly indicate wherein the network entity comprises a gateway, wherein the method further comprises: substituting the group header identifier in the resource request with the at least one header field associated with the group header identifier after identifying the at least one header field; and sending the resource request including the substituted at least one header field to an origin server, and

wherein processing the resource request comprises processing the resource request at the origin server.

Chapman teaches a system for suppressing packet headers through part of the network then restoring them at the end of the network (Column 6, lines 16 – 19). It identifies the stored packet headers by an index number (Column 6, line 65 – Column 7, line 6). Once the packet is restored it is passed to the network like a normal packet (Column 7, lines 9 – 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Chapman's teaching of re-adding header information to the packets to allow the packet to be handled like a normal packet for the rest of the network in Hansen so that the header suppression is only used across the low bandwidth part of the network and handled like a normal packet in the rest of the network.

Claims 4, 11, 18, 25, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen in view of Mahler (6542504).

Regarding claims 4, 11, 18, and 25, Hansen teaches a method according to claims 1, 8, 15, and 22.

Hansen does not explicitly indicate receiving a subsequent request at the network entity from the terminal after sending the group header identifier to the terminal, the subsequent request including the group header identifier and an alternative at least one header field; and <u>overwriting the at least one header field associated with the group</u>

header indientifier to thereby associate the alternative at least one header field with the

group header identifier.

Mahler teaches a system for replacing header information in a packet with an

identifier (Column 3, lines 35 – 50). Mahler's teaching includes renegotiating the profile

or header information associated with the identifier (Column 21, lines 42 – 44) which

includes replacing or overwriting the old header information with new or alternate

header information (Column 21, lines 22 – 31 being replaced with Column 21, lines 46 –

56, the profile identifier value may change in Mahler, but it is still the profile identifier

that equates the terminal with the header information, so it meets the limitations of the

claim).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Mahler's teaching of updating the header information to be

put into packets in Hansen's system in order to allow changes to occur to the

connection without having to tear down and restart the connection.

Regarding claims 29-31, Hansen teaches a method according to claims 1, 8,

and 15.

Hensen does not explicitly indicate wherein associating the at least one header

field with a group header identifier comprises associated the at least one header field

and at least one respective value with a group header identifier, and wherein the

method further comprises:

receiving a subsequent request at the network entity from the terminal after

sending the group header identifier to the terminal, the subsequent request including the

group header identifier and at least one associated header field with an alternative at least one respective value; and

overwriting the at least one value of the at least one header field associated with the group header identifier to thereby associate the at least one header field and the alternative at least one respective value with the group header identifier.

Mahler teaches a system for replacing header information in a packet with an identifier (Column 3, lines 35 – 50). Mahler's teaching includes renegotiating the profile or header information associated with the identifier (Column 21, lines 42 – 44) which includes replacing or overwriting the old header information with new or alternate header information (Column 21, lines 22 – 31 being replaced with Column 21, lines 46 – 56, the profile identifier value may change in Mahler, but it is still the profile identifier that equates the terminal with the header information, so it meets the limitations of the claim).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Mahler's teaching of updating the header information to be put into packets in Hansen's system in order to allow changes to occur to the connection without having to tear down and restart the connection.

Response to Arguments

Applicant's arguments filed October 5, 2007 have been fully considered but they are not persuasive.

Regarding claim 1, the applicant argues that the Hansen reference does teach a

specific call for associating the at least one header field with a group header identifier.

The examiner disagrees, reading the claims in the broadest possible manner, the claim

only indicates that there must be a request from the terminal to the network entity and

that request must contain some sort of call to associate the header field and identifier.

Reading it broadly this implies as long as there is a request that results in the

association being performed meets the limitation of the claim. As seen in Figure 3, if

the network entity receives a request without an ID already present, it stores the header,

and associates that header with a new ID. In this context any request not containing the

terminal identification number can be considered a call to associate the header field with

a group header identifier.

The arguments referring to claims 4 and 29 are moot with new grounds of

rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Bates
October 17, 2007

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